



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FOREST LABORATORIES, INC.,

Plaintiff,

- against -

LEIF NISSEN,

Defendant.

Index No. 07CV7399(SWK)  
Order to Show Cause for  
Temporary Restraining Order  
and Preliminary Injunction

Upon the Declaration of Eric M. Agovino and Christopher Serbagi, attorneys for the Plaintiff, dated August 17, 2007 and upon a copy of the Complaint annexed hereto, it is

ORDERED, that the above-named Defendant show cause before ~~a motion term~~ <sup>the Hon. Alvin Hellerstein</sup> of this Court, at Room ~~120~~ <sup>14D</sup>, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on ~~September 5, 2007~~ <sup>September 5, 2007</sup>, at 10:00 o'clock, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, enjoining the Defendant Leif Nissen, during the pendency of this action, from using the domain name "lexipro.com" in any manner on the Internet or in any other manner, including use by others whom Defendant has employed or retained to use the domain name "lexipro.com."

ORDERED that sufficient reason having been shown therefore, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendant is temporarily Ordered to take all necessary measures to ensure that the domain name "lexipro.com" is not used in any manner on the Internet, including use by others whom Defendant has employed or retained to use the domain name "lexipro.com."

ORDERED that ENOM, Inc., the Registrar of the domain name "lexipro.com," temporarily and until further Order of this Court, deactivate and hold the domain name "lexipro.com" so that no individual or entity may purchase or transfer or otherwise make any use of the domain name "lexipro.com." The Court specifically Orders that ENOM, Inc. temporarily and until further Order of this Court deactivate the domain name "lexipro.com" so that users who use the web address "www.lexipro.com" not have access to the Internet with that domain name until further Order of this Court.

ORDERED that Plaintiff submit its preliminary injunction memorandum in support of its motion for a preliminary injunction on 8/23, 2007; that Defendants submit its opposition papers on 8/30, 2007; and that Plaintiff submit its reply papers on 9/4, 2007. *at 12pm noon*

ORDERED that *plaintiff* post a bond of \$25,000 pending determination of this hearing. *Post by by*  
4:00pm on 8/22/2007

ORDERED that service of a copy of this order and of the papers on which it is based, by Federal Express or other overnight delivery to the Defendant, on or before the 23 day of August, 2007, shall be deemed good and sufficient service thereof. *for*

Dated: New York, New York  
 August 17, 2007

*21*  
 12:55pm

SO ORDERED:

*[Signature]* PART I  
 USBJ  
 LAURA TAYLOR SWAIN *m*